

Application No.: 10/583,991
Attorney Docket No.: 062705
Amendment under 37 CFR §1.111

REMARKS

Claims 1 and 4-6 are pending in the present application. Claims 1 and 5 are herein amended. Claims 7 and 8 are newly added.

Claim Rejections - 35 U.S.C. § 112

Claims 1 and 4-6 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The Office Action states that the selection of vinyl acetate as monomer (A) would result in a copolymer devoid of chlorine, which conflicts with the description of the claimed product, *i.e.*, “a soft vinyl chloride copolymer.” Claims 1 and 5 have been amended to clarify that the monomer (A) includes at least one of vinyl chloride or vinylidene chloride for consistency with the preamble of the claims.

Withdrawal of the rejection is requested.

Double Patenting

Claims 1 and 4-6 were rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-20 of U.S. Patent No. 7,354,970. A terminal disclaimer has been submitted for overcoming this obviousness-type double patenting rejection.

Withdrawal of the rejection is requested.

New Claims

Claims 7 and 8 recite that monomer (A) comprising vinyl chloride or vinylidene chloride further comprises vinyl acetate.

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In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
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